



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

July 12, 2019

David C. Landsman, PE, Prof. LS
CAS Engineering-DC, LLC
1001 Connecticut Avenue, NW, Suite 401
Washington, DC 20036

Re: 4503 Hawthorne Street, NW
Lot 0054, Square 1612, Wesley Heights
Zoning Confirmation

Dear Mr. Landsman,

This letter will confirm the substance of the PDRM with my staff held on July 1, 2019, for 4503 Hawthorne Street, NW.

As presented during the meeting, the site currently is a record lot improved with a single-family detached dwelling, accessory building (garage) and associated appurtenances. The subject property is in the R-14 Zone (Wesley Heights Residential House Zone). The project proposes to renovate, remove portions of the existing house, construct an addition to the existing house, raze the accessory building and construct a new accessory building in the rear yard on the west side of the property. As discussed, I confirm the project's compliance with respect to the zoning criteria under 11 DCMR as follows:

Front Yard (Yard Assignments) (11 DCMR B-315.3)

The owner of a corner lot may choose the street lot line that shall determine the application of any front setback requirement pursuant to 11 DCMR B-315.3. The applicant may select the yards for a corner or through lot if no additional non-conformities are created that would not be created by an alternate configuration. I understand the front yard is to be from 45th Street, NW; rear yard opposite 45th Street, NW along adjacent properties to the west (where shared driveway exists); and side yards along Hawthorne Street, NW and adjacent properties to the north. It should be noted that the existing 1-story portion of the house is non-conforming with this yard layout/scenario. Reviewing the alternate yard layout, with the front on Hawthorne, yields a non-conforming front yard setback for the main bulk of the house. The garage/accessory building is to be razed prior to the building permit, thus it is not considered in the yard selection/assignment. Based on both scenarios having a non-compliant front yard, I have determined that either may be utilized for the proposed addition project.

I have reviewed the yard selection and concur that it complies with the requirements of 11 DCMR for the existing single-family detached dwelling as shown and can be used for addition and accessory building placement.

Nonconforming Structures (11 DCMR B-202)

It is understood that the 1-story portion on the east side of the existing house is non-conforming with regards to the front yard setback requirement. This portion of the house may remain and may be renovated/altered. It may also be enlarged or have an addition constructed as long as the addition or enlargement conforms to the development standards and doesn't increase or expand any existing nonconforming aspect of the structure pursuant to 11 DCMR C-202.2.

Gross Floor Area (11 DCMR D-802.2)

Allowed GFA = 2,000 square feet plus 40% of lot area or 7,000 square feet, and includes basement or cellar floor area where floor-to-ceiling height is 6'-6" or greater, up to five times the fenestration (windows/exterior door openings) for the basement or cellar floor. First 200 square feet of a porch and 600 square feet of a garage do not count towards the gross floor area.

Lot Occupancy (11 DCMR D-804.3)

Allowed Lot Occupancy = 30% or 3,750 square feet, includes house, accessory building, elevated terraces attached to the main building, covered stoops/porches and structures >4' above adjacent grade.

Front Yard Setback (11 DCMR D-805)

As discussed above, in the R-14 Zone, the front setback is per the map entitled "Required Front Yard Setbacks". This front yard setback is a minimum setback, there is no range requirement applicable to this zone. The front yard setback for 45th Street, NW is 42-feet. No front yard setback is required along Hawthorne Street, NW pursuant to 11 DCRM B-315.3, which for a R-zone states if a lot has more than one (1) street lot line, the owner of the lot may choose the street lot line that shall determine the application of any front setback requirement.

Pervious Surface (11 DCMR D-808)

Minimum Pervious Surface = 50%, includes pervious pavement, lawn areas, decks over grade that do not preclude the infiltration of water into the soil below, and green roofs.

Green Area Ratio (GAR) does not apply to the R-14 zone.

Accessory Building Height (11 DCMR D-5002)

An accessory building may be 2-stories and 20-feet tall maximum, measured from the finished grade at the middle of the side of the accessory building facing the main building to the highest point of the roof of the building. The BHMP for the accessory building is on the east side of the structure exterior wall.

Accessory Building Rear Yard (11 DCMR D-5004)

An accessory building may be located in a rear yard, but shall be set back at least 12-feet from the center line of the alley. The accessory building shown is located entirely in the rear yard and is not adjacent to an alley. Pursuant to the PDRM discussions, I have confirmed that the minimum distance for the accessory building to be detached from the main building is 6 feet, the minimum width of an open court, as per my office's policy.

I have reviewed the accessory building placement and concur that it complies with the requirements of 11 DCMR with the accessory building partially in the rear yard for the existing single-family detached dwelling as shown.

Accessory Building Maximum Building Area (11 DCMR D-5006)

The building area of an accessory building shall be less than 30% of the required rear yard (25-feet required rear yard x 100-feet lot width x 0.3 = 750 square feet) or 450 square feet. The accessory building area is measured as the maximum horizontal projected area of the building, inclusive of portions of the building that do not extend above the level of the main floor of the building pursuant to 11 DCMR B-199.

I have reviewed the accessory building maximum building area and concur that it complies with the requirements of 11 DCMR as shown.

Accessory Apartment (11 DCMR U-253):

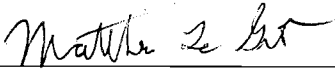
It was presented that the accessory building may have a wetbar and multiple bathrooms, and that the intention for this area is to create a pool house and garage area, not an additional dwelling unit. A dwelling unit covenant will be prepared and recorded to confirm that this area does not constitute or create a separate dwelling unit. If an additional dwelling unit is desired to be created, it is permitted in this zone, but must meet the requirements of 11 DCMR U-253.

I have reviewed the concept plan as proposed and concur that the development of a new accessory structure as shown/proposed meets the requirements of 11 DCMR, specifically the sections of 11-B, 11-C and 11-D DCMR noted above).

Accordingly, when a building permit is filed for, I will approve the permit for this property consistent with the above presented zoning criteria and compliance information. Please let me know if you have any further questions.

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of

the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachments –
Civil Concept Plan
Architectural Concept Plan

Zoning Technician: Ademola Shittu

File: Det Let re 4503 Hawthorne Street, NW to Landsman on 7-12-2019